

THE HONORABLE PAUL B. SNYDER

Hearing Date: March 26, 2015

Hearing Time: 9:00 am

Location: Tacoma

Response Date: March 19, 2015

Dorothy A. Bartholomew
WSBA No. 20887
DOROTHY BARTHOLOMEW, PLLC
5310 12th St E, Ste C
Fife, Washington 98424
(253) 922-2016
FAX: (253) 922-2053

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON**

In re:

CHAPTER 7

PERRY R. WEIGUM,

NO. 01-50176

Debtor.

NOTICE OF HEARING AND APPLICATION TO
REOPEN CLOSED CASE

PLEASE NOTE that the debtors' Application to Reopen Closed Case, is SET FOR
HEARING as follows:

JUDGE: **PAUL B. SNYDER** DATE: **MARCH 26, 2015**

PLACE: **1717 PACIFIC AVENUE** TIME: **9:00 AM**
COURTROOM H

If you oppose the Motion, you must file your written response with the Court Clerk,
serve
two copies on the Judge's Chambers, and deliver copies to the undersigned and to the debtor
not later than the response date, which is March 19, 2015.

Application to Reopen Case
S:\Closed Cases\W\WE\Weigum, Perry\Reopen case.wpd

THE HONORABLE PAUL B. SNYDER

Hearing Date: March 26, 2015

Hearing Time: 9:00 am

Location: Tacoma

Response Date: March 19, 2015

Dorothy A. Bartholomew
WSBA No. 20887
DOROTHY BARTHOLOMEW, PLLC
5310 12th St E, Ste C
Fife, Washington 98424
(253) 922-2016
FAX: (253) 922-2053

IF NO RESPONSE IS TIMELY FILED AND SERVED, the Court may, in its discretion,
GRANT THE MOTION PRIOR TO THE HEARING, WITHOUT FURTHER NOTICE, and
strike the hearing.

MOTION

COMES NOW the debtor, Perry Weigum, by and through his attorney of record,
Dorothy A. Bartholomew, and applies to the Court for an order reopening the above-
captioned case. In support of this Application, undersigned counsel pleads as follows:

A bankruptcy case "may be reopened in the court in which such case was closed to
administer assets, to accord relief to the debtor, or for other cause." 11 U.S.C. § 350(b).
"[R]eopening of a closed bankruptcy case is a ministerial act that functions primarily to
enable the file to be managed by the clerk as an active matter and that, by itself, lacks
independent legal significance and determines nothing with respect to the merits of the case."
In re Menk, 241 B.R. 896, 912 (B.A.P. 9th Cir. 1999). A motion to reopen "legitimately

Application to Reopen Case
S:\Closed Cases\W\WE\Weigum, Perry\Reopen case.wpd

THE HONORABLE PAUL B. SNYDER

Hearing Date: March 26, 2015

Hearing Time: 9:00 am

Location: Tacoma

Response Date: March 19, 2015

Dorothy A. Bartholomew
WSBA No. 20887
DOROTHY BARTHOLOMEW, PLLC
5310 12th St E, Ste C
Fife, Washington 98424
(253) 922-2016
FAX: (253) 922-2053

presents only a narrow range of issues: whether further administration appears to be warranted; whether a trustee should be appointed; and whether the circumstances of reopening necessitate payment of another filing fee." Id. at 916-17.

1. The debtor petitioned for relief under Chapter 7 of the Bankruptcy Code on October 19, 2001.
2. William Louis Beecher was the duly appointed trustee.
3. The court granted the debtor a discharge on January 30, 2002, and closed the estate on February 8, 2002.
4. The debtor recently learned that he may have a tort claim arising from a pre-petition traffic accident.
5. He desires to pursue his tort claim.
6. The debtor will amend his schedules to add the claim.
7. A trustee should be appointed to administer any potential assets, should the debtor in fact obtain counsel to prosecute his court action.

/

Application to Reopen Case
S:\Closed Cases\W\WE\Weigum, Perry\Reopen case.wpd

8. The Court may reopen a case on a debtor's application pursuant to 11 U.S.C. § 350(b).
Fed. Rule Bankr. Proc. 5010. Section 350(b) allows the Court to reopen a case to
accord relief to the debtor or for other cause. 11 U.S.C. § 350(b).

WHEREAS the debtor desires to reopen his case to amend his petition and include a
fraudulent claim and

WHEREAS the debtor is able to do so, the debtor prays for an order reopening the
case.

DATE: February 11, 2015

/s/ Dorothy A. Bartholomew
Dorothy A. Bartholomew
WSBA No. 20887
Attorney for Perry R. Weigum